

00-2-1258

Entered 11-5-98 - sb

CL 98L0732- GWENDOLYN BURNS

CLAIM OF: ESTATE OF CLAUDUS WALKER

through its attorney

RONNIE K. BATCHELOR, ATTORNEY AT LAW

280 Constitution Boulevard

Lawrenceville, Georgia 30045

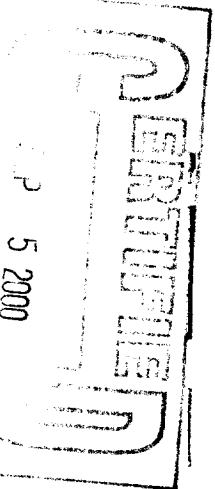
For damages alleged to have been sustained  
as a result of a wrongful death on May  
2, 1998 at the Atlanta Detention Center  
at 254 Peachtree Street.

THIS ADVERSED REPORT IS  
APPROVED

CONSENT AGENDA

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSED BY SEP 05 2000  
CITY COUNCIL



ADVISED REPORT  
COM. *Public Safety*

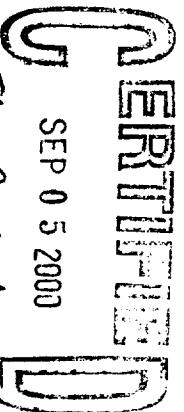
DATE *8/15/2000*

CHM. *C. T. Monty*

*Michael R. ...*

*Gregory Allen*

*Debra ...*



*Ronald Douglas Johnson*  
MUNICIPAL CLERK



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

September 18, 2000

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Ronnie K. Batchelor  
Attorney at Law  
280 Constitution Blvd.  
Lawrenceville, GA 30045

00-R-1258

RE: Estate of Claudus Walker

Dear Attorney Batchelor:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: **Claims Division/Law Department**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 98L0732

Date: August 3, 2000

Claimant /Victim ESTATE OF CLAUDUS WALKER  
BY: (Atty) (Ins. Co.) RONNIE K. BATCHELOR, ATTORNEY AT LAW  
Address: 280 Constitution Boulevard, Lawrenceville, Georgia 30045  
Subrogation:            Claim for Property damage \$            Bodily Injury \$ unspecified  
Date of Notice: 10/30/98 Method: Written, Proper X Improper             
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 5/2/98 Place: Atlanta Detention Center - 254 Peachtree Street  
Department CORRECTIONS Division             
Employee involved            Disciplinary Action:           

NATURE OF CLAIM: Claimant alleges that Claudus Walker suffered a wrongful death while being detained at the detention center at the above location. However, the City is immune from liability as set forth in O.C.G.A. § 36-33-1. Furthermore, the claimant has filed a lawsuit to resolve the issues of this claim.

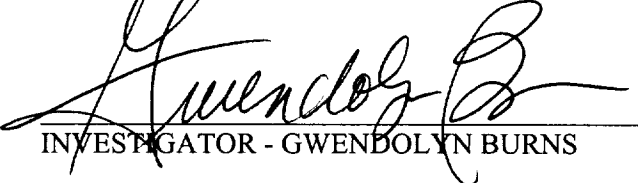
**INVESTIGATION:**

Statements: City employee            Claimant            Others            Written            Oral             
Pictures            Diagrams            Reports: Police            Dept Report            Other X  
Traffic citations issued: City Driver            Claimant Driver             
Citation disposition: City Driver            Claimant Driver           

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial             
Improper Notice            More than Six Months            Other X Damages reasonable             
City not involved            Offer rejected            Compromise settlement             
Repair/replacement by Ins. Co.            Repair/replacement by City Forces             
Claimant Negligent            City Negligent            Joint            Claim Abandoned           

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

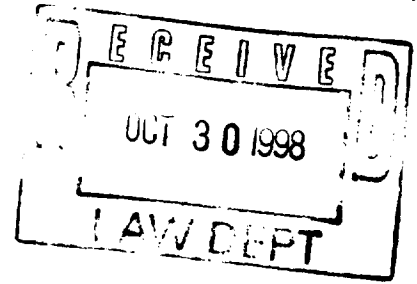
**RECOMMENDATION:**

Pay \$            Adverse X Account charged: 1A01            2J01            2H01             
Claims Manager:  Concur/date 10-04-00  
Committee Action: Adverse 90 LCon 9/5/00 Council Action

ENTERED - 11-5-98 - SB  
98L0732 - GWEN BURNS

**RONNIE K. BATCHELOR**  
*Attorney at Law*  
280 CONSTITUTION BOULEVARD  
LAWRENCEVILLE, GEORGIA 30045

770-339-4371  
770-963-8607  
FAX 770-962-2159



*BURNS*  
*11/02/98*  
*[Signature]*

October 29, 1998

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**  
**Z 591 858 976**

The Honorable William Campbell, Mayor  
City of Atlanta  
City Hall, Suite 2400  
55 Trinity Avenue SW  
Atlanta, Georgia 30335

RE: Estate of Claudus Walker v. City of Atlanta

Dear Mayor Campbell:

You are hereby notified that on May 2, 1998, at approximately 5:30 a.m., Claudus Walker died in custody at the Atlanta Detention Center, 254 Peachtree Street, Atlanta, Georgia..

Claudus Walker's death was the direct result of the negligence of the city of Atlanta detention center in obtaining proper medical care for the inmate and in failing to obtain emergency medical aid for his severe asthmatic attack, in spite of repeated requests for such assistance. Please be advised that the family of Claudus Walker intends to pursue this matter vigorously, and we will supplement this notice at a later date with the amount of the family's demand for settlement for the full value of Mr. Walker's life..

This notice is made pursuant to O.C.G.A. § 36-33-5, and we request written acknowledgement of receipt of this notice.

I look forward to your reponse.

Sincerely,

*Ronnie K. Batchelor*

Ronnie K. Batchelor  
Attorney at Law

pc: Copy of same sent United States Mail  
Copy of same delivered by hand ✓

00- -1258

RCS# 2194 :  
9/05/00  
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-12

Adopt

YEAS:	13	SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA
NAYS:	0	
ABSTENTIONS:	0	
NOT VOTING:	3	
EXCUSED:	0	
ABSENT	0	

Y McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1007 00-R-1309
Y Starnes	NV Woolard	Y Martin	Y Emmons	
NV Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

09/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> <li>1. 00-O-1102</li> <li>2. 00-O-1143</li> <li>3. 00-O-1207</li> <li>4. 00-O-1295</li> <li>5. 00-O-1303</li> <li>6. 00-O-1313</li> <li>7. 00-O-1124</li> <li>8. 00-O-1125</li> <li>9. 00-O-1126</li> <li>10. 00-O-1127</li> <li>11. 00-O-1128</li> <li>12. 00-O-1133</li> <li>13. 00-O-1196</li> <li>14. 00-O-1298</li> <li>15. 00-O-1122</li> <li>16. 00-O-1300</li> <li>17. 00-R-1198</li> <li>18. 00-R-1230</li> <li>19. 00-R-1290</li> <li>20. 00-R-1312</li> <li>21. 00-R-1316</li> <li>22. 00-R-1265</li> <li>23. 00-R-1266</li> <li>24. 00-R-1267</li> <li>25. 00-R-1268</li> <li>26. 00-R-1270</li> <li>27. 00-R-1314</li> <li>28. 00-R-1229</li> <li>29. 00-R-1233</li> <li>30. 00-R-0886</li> <li>31. 00-R-1236</li> <li>32. 00-R-1237</li> <li>33. 00-R-1238</li> <li>34. 00-R-1239</li> <li>35. 00-R-1240</li> <li>36. 00-R-0241</li> <li>37. 00-R-1242</li> <li>38. 00-R-1243</li> <li>39. 00-R-1244</li> </ol>	<ol style="list-style-type: none"> <li>40. 00-R-1235</li> <li>41. 00-R-1245</li> <li>42. 00-R-1246</li> <li>43. 00-R-1247</li> <li>44. 00-R-1248</li> <li>45. 00-R-1249</li> <li>46. 00-R-1250</li> <li>47. 00-R-1251</li> <li>48. 00-R-1252</li> <li>49. 00-R-1253</li> <li>50. 00-R-1254</li> <li>51. 00-R-1255</li> <li>52. 00-R-1256</li> <li>53. 00-R-1257</li> <li>54. 00-R-1258</li> <li>55. 00-R-1259</li> <li>56. 00-R-1260</li> <li>57. 00-R-1261</li> <li>58. 00-R-1262</li> <li>59. 00-R-1263</li> <li>60. 00-R-1264</li> </ol>